



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
October 16, 2000**

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The meeting was called to order at 9:30 a.m., with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 9:35 a.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

1. **MOMENT OF SILENCE** (Tape 1)

Supervisor Mendelsohn asked everyone to remember in thoughts and prayers Ms. Madeline Ferguson, a very active member in the McLean community, who died last week.

AGENDA ITEMS

2. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ROBERT ANDREWS** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Mr. Robert Andrews for his role on the Human Services Council and his contributions to the community. Supervisor Bulova and Chairman Hanley jointly seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. CECELIA LAMMERS** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Ms. Cecelia Lammers for 14 years of service to Fairfax County as Urban Forester. Supervisor Bulova seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. CARLA CONVERY** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Carla Convery for her achievement as 2000 Commonwealth Games of Virginia Athlete of the Year. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

5. **PROCLAMATION DESIGNATING OCTOBER 28, 2000, AS "VOLUNTEERFEST® DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate October 28, 2000, as "*VolunteerFest® Day*" in Fairfax County. Supervisor McConnell and Supervisor Mendelsohn jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

6. **ORDERS OF THE DAY**

Chairman Hanley announced that there would be a slight change in the Orders of the Day and proceeded with the Proclamation to designate Ms. Mary Simpson as Fairfax County "Fiddle Player of the Year 2000."

7. **PROCLAMATION TO DESIGNATE MS. MARY SIMPSON AS FAIRFAX COUNTY "FIDDLE PLAYER OF THE YEAR 2000"** (Tape 1)

Supervisor McConnell moved approval of the Proclamation to designate Ms. Mary Simpson as Fairfax County "*Fiddle Player of the Year 2000.*" Supervisor Connolly and Chairman Hanley jointly seconded the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO GUNSTON HEIGHTS AND WILEY COMMUNITIES AND STAFF** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Gunston Heights and Wiley Communities and staff who worked for nearly 13 years to complete the pump and haul sewer system. Supervisor Bulova and Chairman Hanley jointly seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING OCTOBER 2000 AS "DISABILITY EMPLOYMENT AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate October 2000 as "*Disability Employment Awareness Month*" in Fairfax County. Supervisor Bulova and Supervisor Connolly jointly seconded the motion and it carried by unanimous vote.

10. **PROCLAMATION PROCLAIMING OCTOBER 15 - 21, 2000, AS "NATURAL RESOURCES WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation to proclaim October 15-21, 2000, as "*Natural Resources Week*" in Fairfax County. Supervisor Connolly and Vice-Chairman Hyland jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **PROCLAMATION TO DECLARE OCTOBER 15 - 21, 2000, AS "CHARACTER COUNTS! WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Gross moved approval of the Proclamation to declare October 15-21, 2000, as "*Character Counts! Week*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

12. **PROCLAMATION TO DESIGNATE MS. MARY SIMPSON AS FAIRFAX COUNTY "FIDDLE PLAYER OF THE YEAR 2000"** (Tape 1)

(NOTE: Earlier in the meeting this proclamation was presented. See Clerk's Summary Item CL#7.)

ADDITIONAL BOARD MATTER

13. **BOARD MEETINGS START TIME CHANGED TO 9 A.M.** (Tape 1)

Supervisor Mendelsohn moved that the Board start its meetings at 9 a.m., instead of 9:30 a.m. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

AGENDA ITEMS

14. **10 A.M. – 2000 EXCEPTIONAL DESIGN AWARDS CEREMONY** (Tape 1)

This is the sixteenth year of the Exceptional Design Awards Program. Ninety-two projects have been recognized for their design excellence over that time. The awards were presented by John A. Burns, AIA, Chairman of the Design Jury. The award winners and projects were:

Honor Award: Residence on the Potomac at Little Falls (Residential, Single-family Detached)

Architect: Randall Mars Architects, McLean, Virginia

Owner/Developer: Withheld

Year Built: 1999

Honor Award: One Freedom Square (Commercial, Office)

Architect: Smith Group, Washington, D.C.

Owner/Developer: Boston Properties and Terrabrook Communities

Year Built: 1999

Honor Award: Winstar Communications, Incorporated at Presidents Park (Interior Architecture)

Architect: DBI Architects, P.C., Washington, D.C.

Owner/Developer: Winstar Communications, Incorporated

Year Built: 1999

Honor Award: Teleglobe International Headquarters (Interior Architecture)

Architect: Spector, Knapp and Baughman, Limited, Washington, D.C.

Owner/Developer: Teleglobe International

Year Built: 1999

Merit Award: One Freedom Square-Multistory Car Park (Commercial, Office)

Architect: Smith Group, Washington, D.C.

Owner/Developer: Boston Properties and Terrabrook Communities

Year Built: 1999

Honorable Mention: Kossler Residence Renovation (Residential, Single-family Detached)

Architect: David Jameson, Alexandria, Virginia

Owner/Developer: Paul and Ruth Kossler

Year Built: 1998

Honorable Mention: Infinite Photo and Imaging (Interior Architecture)

Architect: Spector, Knapp and Baughman, Limited, Washington, D.C.

Owner/Developer: Infinite Photo and Imaging

Year Built: 1998

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15. **ORDERS OF THE DAY** (Tape 2)

Chairman Hanley stated that there would be a change in the Orders of the Day and that the Board would proceed with the Administrative Items because the Oversight Committee on Drinking and Driving needed additional time to set up its presentation.

16. **10:15 A.M. – REPORT BY THE OVERSIGHT COMMITTEE ON DRINKING AND DRIVING** (No Tape)

(NOTE: Later in the meeting, the Report by the Oversight Committee on Drinking and Driving was presented. See Clerk's Summary Item #18.)

17. **ADMINISTRATIVE ITEMS** (Tape 2)

Supervisor Connolly moved approval of the Administrative Items. Supervisor Hudgins seconded the motion.

Supervisor McConnell called the Board's attention to Admin 11 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance) and the Public Facilities Manual Regarding Virginia Coordinate System of 1983 and commended Burton O. Sours, County Surveyor, Construction Management Division, Capital Facilities Office, Department of Public Works and Environmental Services, for his hard work in this endeavor.

Supervisor Kauffman called the Board's attention to Admin 7 - Authorization to Advertise a Public Hearing on Proposed Transportation Enhancement Program Projects and asked unanimous consent that the Board direct staff to work with his and Supervisor Hyland's offices to examine enhancements for pedestrian safety, particularly in the Route One corridor, as they prepare and review possible projects. Without objection, it was so ordered.

The question was called on the motion to approve the Administrative Items, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (MASON, PROVIDENCE, AND SULLY DISTRICTS)

(R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Barcroft Forest	Mason	Barcroft Lane Route 1272 Parkhill Drive Route 1851
Hunting Hills, Section 2	Providence	Hunting Hills Court Route 7466

Hunting Hills, Section 3	Providence	Hunting Hills Place
Devonshire Gardens	Providence	Lee Highway Route 29/211 Addl ROW Only
Willow Ponds, Section 5	Sully	Whisper Willow Drive Route 7975 Heart Leaf Court Winter Willow Drive Route 7977

**ADMIN 2 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION APPLICATION SE 97-Y-050, THE IZAAK
WALTON LEAGUE (SULLY DISTRICT)**

(AT) Approved the request for 18 months of additional time for Special Exception Application SE 97-Y-050 until April 27, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 3 – INSTALLATION OF MULTI-WAY STOPS AT VARIOUS
LOCATIONS (MOUNT VERNON AND PROVIDENCE DISTRICTS)**

- Endorsed the installation of multi-way stops at the following intersections:
 - Old Colchester Road/Furnace Road (Mount Vernon District)
 - Holmes Run Drive/Hemlock Drive (Providence District)
- Directed staff to request the Virginia Department of Transportation install these signs at the earliest possible date.

**ADMIN 4 – INSTALLATION OF "WATCH FOR CHILDREN" SIGNS AT
VARIOUS LOCATIONS (MASON AND BRADDOCK DISTRICTS)**

- (R)
- Adopted the Resolution endorsing the installation of "Watch for Children" signs on the following residential streets:
 - Peyton Randolph Drive (Mason District)
 - Willston Drive (Mason District)
 - Patrick Henry Drive (Mason District)
 - Colony View Drive (Braddock District)

- Directed staff to request the Virginia Department of Transportation install these signs at the earliest possible date.

ADMIN 5 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITY 2232 REVIEW APPLICATIONS (BRADDOCK AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application 2232-B00-29 to December 4, 2000
- Application 2232-B00-26 to December 25, 2000
- Application 2232-Y00-27 to December 28, 2000

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING GROSS FLOOR AREA

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 15, 2000, and before the Board on **December 11, 2000, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding gross floor area.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)

- (A) (Note: Earlier in the meeting the Board discussed this item. See page 5.)

Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2000, at 4:30 p.m.** to consider proposed transportation enhancement program projects.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED ORDINANCE TO APPROVE A JOINT POWERS AGREEMENT WHICH WILL ALLOW THE COUNTY TO PARTICIPATE IN JOINT PROCUREMENT WITH OTHER LOCAL GOVERNMENTS IN DOMINION VIRGINIA POWER'S PILOT PROGRAM FOR COMPETITIVE PURCHASES OF ELECTRICITY

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 30, 2000, at 4:30 p.m.** to consider the proposed ordinance change approving a Joint Powers Agreement.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF SOUTH RAILROAD STREET (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2000, at 4 p.m.** to consider the vacation of a portion of South Railroad Street.

ADMIN 10 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY ON BEHALF OF FLINT HILL SCHOOL (PROVIDENCE DISTRICT)

- (R) Adopted the Resolution approving the issuance of a bond issue by the Fairfax County Economic Development Authority on behalf of Flint Hill School.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), AND THE PUBLIC FACILITIES MANUAL (PFM) REGARDING VIRGINIA COORDINATE SYSTEM OF 1983

- (A)(R) (Note: Earlier in the meeting the Board mentioned this item. See page 5.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 16, 2000, and before the Board on **December 11, 2000, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance), and the PFM regarding the Virginia Coordinate System of 1983.

ADMIN 12 – APPROVAL FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT \$64,200 IN GRANT FUNDS FROM THE COMMUNITY ACCESS PROGRAM GRANT AWARDED TO THE INOVA HEALTH CARE SYSTEM

Approved the acceptance of grant funds from the Community Access Program Grant awarded to the Inova Health Care System to enable CSB to establish one grant funded position. No County matching funds are required.

18. **10:15 A.M. – REPORT BY THE OVERSIGHT COMMITTEE ON DRINKING AND DRIVING** (Tape 2)

(BACs) Dr. Susan Ferguson, Chairman, Oversight Committee on Drinking and Driving, presented a report "Managing Fairfax County's Driving While Intoxicated System into the New Century."

Supervisor Hudgins moved that the Board refer recommendations from the Committee, found on pages 17 and 18 from the report, to staff in the Police Department. Supervisor Bulova seconded the motion.

Supervisor Connolly asked to amend the motion to direct the County Executive to provide a budget estimate in conjunction with any staff recommendations on implementation, and this was accepted.

Supervisor Connolly asked to amend the motion to direct staff to include in the budget estimate funds to purchase a chair that simulates the effects of alcohol intoxication, and this was accepted.

Supervisor Gross asked to amend the motion to direct staff to include in the budget estimate funds for other necessary equipment and supplies such as traffic cones, and this was accepted.

Following discussion, with input from Lieutenant Colonel Walter A. Baranyk, Deputy Chief of Police, and Dr. Ferguson, Supervisor McConnell asked to amend the motion to direct staff to report on the cost and success of the Jacksonville, Florida's permanent police unit that is deployed on the street for alcohol detection, and this was accepted.

Following further discussion, with input from Dr. Ferguson, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

19. **A-1 – REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE HERNDON SENIOR CENTER (DRANESVILLE DISTRICT)** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board concur in the recommendation of staff and approve the reallocation of \$150,000 from Fund 142, Community Development Block Grant, Project 014114, Senior Housing Facility Development, to Project 014050, Herndon Senior Center. Supervisor Connolly seconded the motion which carried by a vote of nine, *Supervisor Mendelsohn* being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(*NOTE: Later in the meeting, Supervisor Mendelsohn asked to be recorded as voting "AYE" on this motion. See Clerk's Summary Item CL#21.)

20. **A-2 – APPROVAL FOR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) TO ISSUE A REQUEST FOR PROPOSALS FOR THE ACQUISITION OF AFFORDABLE DWELLING UNIT (ADU) FORECLOSURES (COUNTY-WIDE)** (Tape 2)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and authorize the HCD to issue a Request for Proposals for the acquisition of ADU foreclosures by one or more non-profit agencies. Supervisor Connolly and Supervisor Gross jointly seconded the motion.

Following discussion, with input from John V. Callaghan, Director, Housing Management Division, HCD, the question was called on the motion and it carried by unanimous vote.

21. **REQUEST TO RECORD VOTE** (Tape 2)

Supervisor Mendelsohn asked unanimous consent that he be recorded as voting "AYE" on Action Item A-1 - Reallocation of Community Development Block Grant Funds for Architectural and Engineering Services for the Herndon Senior Center. Without objection, it was so ordered.

22. **A-3 – ENDORSEMENT OF FAIRFAX COUNTY PARK AUTHORITY BOARD'S ACTION TO IMPLEMENT A PILOT ARCHERY PROGRAM WITHIN SELECTED PARKS** (Tape 2)

Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and endorse the Fairfax County Park Authority Board's action to approve the implementation of a pilot archery ("bow-hunting") program within the following parks pending completed research to determine that these sites meet an approved criteria (Hunter Mill and Dranesville Districts only):

- Huntley Meadows
- Scotts Run
- Colvin Run
- Stream Valley
- Difficult Run

Following discussion, with input from Earl Hodnett, Wildlife Biologist, Police Department, and Anthony H. Griffin, County Executive, Supervisor Frey asked unanimous consent that the Board direct the County Executive to provide reports on the success of and efforts to increase other aspects of the Deer Management Program as authorized by the Board, to include an update on the following:

- Materials that are being developed on the Humane Education Program
- Number of individuals and groups to which they are being disseminated
- Information on the use of reflectors

Following further discussion, with input from Mr. Griffin and Mr. Hodnett, Chairman Hanley clarified that as part of the motion the archers would have to meet specific criteria.

Following further discussion, with input from Mr. Hodnett, Supervisor Bulova asked to amend the motion to direct staff to revise the "Suggested Methods" as contained on handwritten page five of Attachment One of the Memorandum to the Board dated October 16, 2000, to delete the word "generally" from the sentence next to the archery bullet that read "Archery hunts will *generally* include certified hunters with compound bows." This was accepted.

Following continued discussion, the question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor McConnell voting "NAY."

23. **C-1 – 2000 VIRGINIA ASSOCIATION OF COUNTIES' (VACo) ANNUAL MEETING** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, regarding the designation of a voting delegate and alternate voting delegate for the VACo annual meeting.

Supervisor Hyland moved that the Board designate:

- Chairman Hanley as the voting delegate to represent the County at the VACo annual meeting.
- Supervisor Connolly and Supervisor Hyland as the alternate voting delegates to represent the County at the VACo annual meeting.

Supervisor Kauffman seconded the motion and it carried by unanimous vote.

24. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-L00-18, COX COMMUNICATIONS (LEE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, announcing the Planning Commission's approval of Public Facilities Application 2232-L00-18.

25. **I-2 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-Y00-15, AT&T WIRELESS SERVICES (SULLY DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, announcing the Planning Commission's approval of Public Facilities Application 2232-Y00-15.

26. **I-3 – DOMINION VIRGINIA POWER PILOT PROGRAM OFFERING CUSTOMER CHOICE OF SUPPLIERS FOR ELECTRICITY GENERATION SERVICES** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, announcing Dominion Virginia Power Company's Pilot Program for customer choice.

27. **I-4 – CONTRACT AMENDMENT FOR PROFESSIONAL SERVICES FOR THE JAMES LEE COMMUNITY CENTER (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, requesting authorization for staff to:

- Amend the contract for the James Lee Community Center.
- Fund the associated contingencies in the amount of \$458,904.

The staff was directed administratively to proceed as proposed.

28. **I-5 – CONTRACT AWARD - CONSULTING SERVICES FOR ATHLETIC FIELD ALLOCATION AND POLICY DEVELOPMENT** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, requesting authorization for staff to award a contract to CEHP, Incorporated, in the amount of \$124,883 for consulting services to make recommendations regarding the capacity of fields, demand for use, and allocation and operational processes associated with the implementation of community use of outdoor athletic facilities. Funds for the contract have been identified in the

current Fiscal Year 2001 budget appropriations in the Department of Community and Recreation Services; therefore, no additional County funding will be required.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to re-circulate to the Board the options provided to local people to compete for contracts. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, the Board directed additional action regarding this item. See Clerk's Board Summary Item CL#29.)

29. **I-6 – CONTRACT AWARD - COUNTY RETIREMENT PLANS STUDY**
(Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, requesting authorization for staff to award a contract to William M. Mercer, Incorporated, in the amount of \$110,352 for consulting services to:

- Conduct a review and analysis of the three County retirement plans to establish goals for retirement system benefits and retiree health benefits.
- Assess competitiveness of current retirement benefits.
- Assess whether newly established goals are being met.
- Develop recommendations for improvement of current practices.
- Provide reports and briefings to the County.

Funds are available in the Fiscal Year 2001 Budget Appropriations; therefore, no additional funding will be required.

With reference to this item as well as the one preceding it, Supervisor Frey asked unanimous consent that the Board direct staff to provide him with a more detailed explanation of the scope of work for the Contract Award - Consulting Services for Athletic Field Allocation and Policy Development and the Contract Award - County Retirement Plans Study. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

30. **I-7 – ENGINEERING DESIGN CONTRACT FOR THE DESIGN OF REGIONAL POND C-54, PROJECT CU0054 (SULLY DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, requesting authorization for staff to award a contract to the Engineering Groupe, Incorporated, in the amount of \$144,741.55 for engineering design services for Regional Pond C-54. Funds are currently available in Project CU0054, Regional Pond C-54.

The staff was directed administratively to proceed as proposed.

31. **I-8 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY'S (FCRHA) APPLICATION FOR 35 ADDITIONAL SECTION 8 HOUSING CHOICE VOUCHERS FOR THE FAMILY UNIFICATION PROGRAM** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, presenting FCRHA's application to the US Department of Housing and Urban Development (HUD) for 35 additional Section 8 housing choice vouchers for the Family Unification Program.

Supervisor Kauffman moved that the Board direct staff to:

- Return this item as an Action Item for acceptance to the Board if HUD approves the Board's request.
- Provide a specific plan for addressing concentration in the 22309 zip code area.
- Work with HUD on formalizing a procedure for application, approval, and acceptance so the Board is consistent in the method that it handles these applications.

Supervisor Hyland seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to also review the entire County in regard to concentrations and changes that have been made. This was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The question was called on the motion, as amended, which carried by unanimous vote.

32. **I-9 – STATUS REPORT ON BACKLOG OF FIRE PROTECTION SYSTEM TESTS** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated October 16, 2000, presenting the status report regarding the backlog of fire protection system tests.

ADDITIONAL BOARD MATTERS

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33. **FIFTEENTH ANNUAL BRAIN INJURY CONFERENCE** (Tape 3)

Chairman Hanley announced that the Northern Virginia Brain Injury Association will present "A Journey Toward Independence" at its Fifteenth Annual Brain Injury Conference on October 20-21, 2000, at the Johnson Conference Center at George Mason University. She distributed conference notices with additional details.

34. **COMPUTER LEARNING MONTH** (Tape 3)

Chairman Hanley announced that the month of October is nationally recognized as Computer Learning Month. She noted that County residents have used the many services provided by the Fairfax County Public Library to enhance their computer skills and cited examples of the Library's many roles in this area. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Library to appear before the Board at the October 30, 2000, meeting to receive a proclamation recognizing the Library's role in advancing computer learning in the County. Supervisor McConnell seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to also invite representatives of other groups using computer learning. Without objection, it was so ordered.

35. **INSTITUTE OF MUSEUM AND LIBRARY SERVICES AWARDS \$40,000 TO COUNTY LIBRARY FOUNDATION** (Tape 3)

Chairman Hanley announced that the Institute of Museum and Library Services has awarded \$40,000 to the Fairfax County Public Library Foundation on a one-year basis to develop a model Internet training and services program at a County residence for the elderly to evaluate the impact on the residents' quality of life. She cited the numerous partnerships reflected in her written Board matter. To acknowledge this award, she moved that the Board direct staff to invite representatives from the various partnership organizations and the Library Foundation to appear before the Board on October 30, 2000, to receive certificates of recognition. Supervisor Connolly seconded the motion, which carried by unanimous vote.

36. **NATIONAL CELIAC AWARENESS MONTH** (Tape 3)

Chairman Hanley stated that several residents called to her attention that October is National Celiac Awareness Month. Celiac disease is an inherited digestive tract disease that is often undiagnosed or misdiagnosed in patients for decades. Acknowledging that there was not enough time for this to be recognized this month, she moved that the Board direct staff to invite representatives from the local chapter of the Celiac Sprue Association and the Health Department to appear before the Board at the October 30, 2000, meeting to receive a proclamation declaring November as "*Celiac Awareness Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

37. **AMERICA RECYCLES DAY** (Tape 3)

Chairman Hanley announced that November 15, 2000, has been designated as "*America Recycles Day*" in Fairfax County. Accordingly, she moved that the Board direct staff to:

- Prepare a proclamation for the October 30, 2000, Board meeting to recognize this national event.
- Invite the appropriate recipients to appear before the Board on that day.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

38. **LETTER FROM THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) REGARDING MAP FLAWS IN PERENNIAL STREAM DESIGNATIONS** (Tape 3)

Chairman Hanley called the Board's attention to a letter and resolution from EQAC regarding map flaws in the United States Geological Survey maps which are used for perennial stream designations. Accordingly, she moved that the Board refer this item to staff for a recommendation, including a cost estimate, to implement the EQAC recommendation.

Supervisor Mendelsohn seconded the motion, which carried by unanimous vote.

39. **LETTER FROM CONGRESSMAN FRANK WOLF REGARDING THE MEDICAID WAIVER PROGRAM** (Tape 3)

Chairman Hanley stated that she had received a letter from Congressman Frank Wolf in response to the letter she had sent to Governor Gilmore regarding the Medicaid Waiver issue discussed at the Board's September 11, 2000, meeting. She provided copies to the Board.

40. **SENATE FINANCE COMMITTEE STAFF ANALYSIS OF THE TENTATIVE VIRGINIA TRANSPORTATION DEVELOPMENT PLAN (SIX-YEAR PLAN) AND THE VIRGINIA TRANSPORTATION ACT** (Tape 3)

Chairman Hanley shared with the Board copies of the Senate Finance Committee Staff Analysis of the Tentative Virginia Transportation Development Plan (Six-Year Plan) and the Virginia Transportation Act and discussion ensued.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

DS:ds

41. **OPENING OF THE GREAT FALLS LIBRARY** (Tape 4)

Supervisor Mendelsohn announced that he had attended the opening of the Great Falls Library on Saturday, October 14, 2000, and noted that he had publicly thanked Chairman Hanley and the Board for all of its support. Supervisor Mendelsohn said that it was a great event for the community of Great Falls.

42. **CONCURRENT PROCESSING OF SPECIAL EXCEPTION APPLICATION SE-00-D-029 (L'AUBERGE CHEZ FRANCOIS RESTAURANT)** (Tape 4)

Supervisor Mendelsohn said that L'Auberge Chez Francois, a restaurant located at 332 Springvale Road in Great Falls, is the applicant for Special Exception Application SE-00-D-029. After nearly 25 years at this location, the restaurant owner, Francois Haeringer, decided to remodel and slightly expand his kitchen. Because the kitchen expansion will relocate some of the parking area onto a residentially-zoned portion of the lot, Mr. Haeringer filed a special exception application.

Supervisor Mendelsohn said that during the processing of planning for the expansion, and after filing for the special exception application and assignment of a November 1, 2000, Planning Commission date, serious damage to the kitchen portion of the restaurant occurred during a two-alarm fire. The fire also caused significant damage to other portions of the restaurant which will remain closed until repairs are made. Because of this unforeseen turn of events, Mr. Haeringer would like to complete the new kitchen addition while he makes the necessary repairs to the restaurant. He would also like to make those repairs and renovations as soon as possible because his business is presently closed as a result of the fire.

Therefore, Supervisor Mendelsohn moved that the Board:

- Direct staff of the Department of Public Works and Environmental Services and the Department of Planning and Zoning to proceed with concurrent processing of this application.
- Schedule a public hearing to be held before the Board for November 20, 2000, the next available Board date after the Planning Commission hearing.

This motion does not relieve the applicant from compliance with the provision of any and all applicable ordinances, regulations, or adopted standards, and does not constitute support by the Board for the Special Exception application. Supervisor Hyland seconded the motion and it carried by unanimous vote.

43. **NICK PALATIELLO AIDS IN THE RESCUE OF A PASSENGER IN AN AUTOMOBILE ACCIDENT** (Tape 4)

Supervisor Mendelsohn said that on Saturday, September 30, 2000, at approximately 11:30 p.m., a Herndon High School Junior, Nick Palatiello, the son of Fairfax County Planning Commissioner John Palatiello, aided in the heroic rescue of a passenger in an automobile which had crashed and landed in a lake near the Regal Theatres in Sterling, Virginia. Hearing the noise from the crash while exiting the theater, Nick, a certified lifeguard, investigated and, when he realized that there was someone trapped in the car, dove into the water and commenced a rescue. He was aided in this attempt by three other passers-by who also jumped into the water to assist in the rescue. Together they located the victim and managed to pull him through the open driver's side window. Nick immediately checked the victim's vital signs and discovered that he was not breathing. Fortunately, Emergency Medical Team personnel from the Office of the Loudoun County Sheriff arrived on the scene and began successful Certified Pulmonary Resuscitation. The victim was breathing on his own by the time the rescue squad arrived, and he was transported to Loudoun Hospital where he was hospitalized for several days. At this time he is still recovering from the accident.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite Nick Palatiello to appear before the Board to be congratulated and acknowledged for his bravery, his quick response in the face of an emergency, and his concern for his fellow man. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

44. **INNOVATIONS 2000 BUSINESS EXPO** (Tape 4)

Supervisor Mendelsohn distributed to the Board copies of a brochure for the Fairfax County Chamber of Commerce Innovations 2000 business expo which is to be held on October 25, 2000, at the Capital Expo Center in Chantilly, Virginia, and encouraged everyone to attend. He noted that this was a free event to "show-off" the County's business community.

Supervisor Mendelsohn said that if anyone wanted more information to visit the website at www.fccc.org.

Supervisor Connolly said that this was the first year that this event was being held at the Expo Center. He noted that due to its success it had outgrown the Sheraton Hotel and the Hilton Hotel.

45. **CONGRESSMAN FRANK WOLF'S PROPOSED TRANSPORTATION IMPROVEMENTS** (Tape 4)

Supervisor Mendelsohn said that at the Leadership Fairfax International Session on October 12, 2000, Congressman Frank Wolf came up with an additional \$2,000,000 which will be one of the critical transportation improvements that will be needed to keep this region vital economically. He said that it clearly impacts Fairfax County and Dulles Airport's future, the \$2,000,000 study of the tech way project.

Therefore, Supervisor Mendelsohn moved that the Board thank Frank Wolf and show support for the \$2,000,000 study. Supervisor McConnell seconded the motion.

Chairman Hanley said that she and Supervisor Kauffman would take it as direction to the Transportation Planning Board on October 18, 2000.

Chairman called the question on the motion and it carried by unanimous vote.

46. **CONCURRENT PROCESSING OF SPECIAL USE PERMIT APPLICATION SP 00-Y-052 (VK ASSOCIATES I LIMITED PARTNERSHIP)** (Tape 4)

Supervisor Frey said that pending Special Use Permit Application SP 00-Y-052 is a request to develop an indoor go-kart facility in the Sully District and will be the subject of a public hearing before the Board of Zoning Appeals on November 14, 2000. He said that there appears to be no significant unresolved planning and zoning issues associated with the request. On that basis the applicant has requested permission to begin concurrently processing the necessary site plan.

Therefore, Supervisor Frey moved that the Board direct staff from the Department of Public Works and Environmental Services to concurrently process the site plan and other engineering approvals associated with pending Special Use Permit Application SP 00-Y-052. The applicant understands that this motion will not prejudice the consideration of the applications in any way. Supervisor McConnell seconded the motion and it carried by unanimous vote.

47. **4H CLUB OF THE HOOFERS AND HEIFERS** (Tape 4)

Supervisor Frey said that the local Fairfax County 4H Club of the Hoofers and Heifers at Frying Pan Park recently won the state livestock judging contest at the

Virginia State Fair. A few weeks earlier the club won the Eastern Regional Poultry judging contest. As a result of both of these wins, they will head to the National Competitions in Louisville, Kentucky in the middle of November.

Therefore, Supervisor Frey moved that the Board invite the members of the 4H Club to appear before the Board to be recognized for its outstanding achievements, particularly since Fairfax County is not known for its "agriculture," and has defeated all the more typically known "agriculture" communities. Chairman Hanley seconded the motion and it carried by unanimous vote.

48. **CENTREVILLE COMMUNITY FOUNDATION HELD CENTREVILLE DAY CELEBRATION** (Tape 4)

Supervisor Frey said that the Centreville Community Foundation is a volunteer, nonprofit organization dedicated to preserving the community's history while enhancing the quality of personal and business life in the rapidly growing Centreville area. Each year for the last seven years, the Foundation has orchestrated the annual Centreville Day Celebration. He said that this year, for the first time, Centreville Day was not held on the Fourth of July, but in September as a Fall Festival. However, the date had no effect on the success of the event as thousands of residents from all over Centreville and Chantilly enjoyed a wonderful community parade with a festival at Braddock Park.

Therefore, Supervisor Frey moved that the Board invite the members of the Centreville Community Foundation to appear before the Board to be recognized for its commitment, dedication and undying community spirit that it has given to all the residents of Centreville for the past seven years. Supervisor Connolly and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

49. **CUSTOMER SERVICE FOR SMILES - 2000** (Tape 4)

Supervisor Frey called the Board's attention to the Memorandum to the Board from Anthony Griffin, County Executive, dated October 16, 2000, regarding the SMILES-2000 program, and a brief discussion ensued.

PMH:pmh

50. **"GREEN BUILDING" MEETINGS** (Tape 5)

Supervisor Hudgins shared with Members of the Board information on a series of meetings on "Green Building," a design and construction approach that demonstrates through real examples how to implement positive environmental change. The meetings are sponsored by the Metropolitan Washington Council of Governments and will culminate in a conference next spring to explore how the region can develop green building policies.

Therefore, Supervisor Hudgins asked unanimous consent that the Board encourage staff participation in the "Green Building" meeting series and to report with additional information after receiving feedback on the meetings. Without objection, it was so ordered.

51. **RURAL EXCHANGE PROGRAM** (Tape 5)

Supervisor Hudgins said that on Tuesday, October 10, 2000, 20 Fairfax County Public Schools high school students traveled to rural southwest Virginia to visit three high schools as part of the Fairfax County - Southwest Virginia Exchange Program. The exchange program was sponsored by Delegates Kris Amundson and Tom Jackson to foster better understanding of the challenges faced by different regions in the Commonwealth.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite the students who participated in the Rural Exchange Program to appear before the Board for recognition. Supervisor Bulova seconded the motion and it carried by unanimous vote.

52. **APPOINTMENT TO THE DULLES RAIL LAND USE TASK FORCE**
(Tape 5)

(BACs) Supervisor Hudgins moved the appointment of Ms. Susan Magnotti as the CIT Station Representative to the Dulles Rail Land Use Task Force to fill the unexpired term of Mr. Frank Bryceland. Supervisor Connolly seconded the motion and it carried by unanimous vote.

53. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED
CONDITION AMENDMENT APPLICATIONS PCA 79-C-037-3,
PCA 81-C-060 AND REZONING APPLICATION RZ 2000-HM-003
(DULLES TECH LC)** (Tape 5)

Supervisor Hudgins announced her intent, later in the meeting, at the appropriate time to defer the public hearing on the following:

- Proffered Condition Amendment Application PCA 79-C-037-3
- Proffered Condition Amendment Application PCA 81-C-060
- Rezoning Application RZ 2000-HM-003

(NOTE: Later in the meeting the public hearing was formally deferred.)

54. **WASHINGTON AREA CONFERENCE ON TELEWORK AND
TELEWORK AMERICA DAY (WACOT)** (Tape 5)

Supervisor Connolly distributed to Board Members copies of the WACOT conference agenda scheduled for October 24, 2000, to be held at the Government Center.

Supervisor Connolly invited everyone to attend.

55. **SENSOR TECHNOLOGY** (Tape 5)

Supervisor Connolly said that the Washington metropolitan area enjoys strong support for public transit. He distributed to Board Members a recent article about a new bus service known as Metro Rapid launched by the City of Los Angeles which allows for limited traffic signal preemption, as long as its effect on traffic signal operation is minimized.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct staff to examine the feasibility of instituting such a service in a regional context, including technological issues that would need to be resolved, and report with their findings. Without objection, it was so ordered.

A brief discussion ensued.

56. **REQUEST FOR CONCURRENT PROCESSING AND PUBLIC HEARING DATE FOR CHRISTOPHER MANAGEMENT/HILLTOP ROAD - REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2000-PR-027** (Tape 5)

Supervisor Connolly said that Christopher Management currently has a pending application for a property located on the north side of Hilltop Road in the Providence District. With the assistance of staff from the Department of Planning and Zoning and the Department of Public Works and Environmental Services, the applicant has been making efforts to solve off-site drainage problems that are currently affecting the adjacent property in Dunn Loring Village. Solving such drainage problems requires engineering work well beyond what would typically be done during the rezoning process. The applicant is working with staff and the neighboring community to address these off-site drainage issues. The applicant has agreed to a deferral of the Planning Commission public hearing date to permit the applicant's engineers to complete necessary engineering calculations.

Supervisor Connolly moved that the Board direct the:

- Director of the Department of Public Works and Environmental Services to concurrently process the subdivision plans and other associated plans with this pending Rezoning Application, RZ/FDP 2000-PR-029.
- County Executive's office to schedule a date for the public hearing before the Board at the Board meeting following the Planning Commission public hearing.

This action does not prejudice the consideration of this review in any way. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Kauffman being out of the room

57. **CULMORE DAY LABORERS' COMMITTEE** (Tape 5)

Supervisor Gross said that in the spring of 1998, the Hispanic Committee of Virginia, St. Anthony's Catholic Church, the Woodrow Wilson Action Group, and her office, formed the Culmore Day Laborers' Committee Trade Skills Training Project, which is a pilot, public-private partnership working for the Culmore community. The committee was formed to consider and address the needs of the day laborer community, which congregates at the Seven Eleven on Glen Carlyn Road. The day laborers typically work for construction contractors for the day. This community consists primarily of immigrants from Central America, who came to Fairfax County with limited resources, language and working skills, and are striving to establish themselves in a new country.

Through the administration of the Hispanic Committee of Virginia, a unique program was established to help the day laborers by combining vocational and language instruction into three curriculums: basic English for job seekers, carpentry, and basic electricity. With the generous support of volunteer instructors and private sector companies, this public-private partnership works. The Hispanic Community of Virginia will honor its first graduates of the program on Tuesday, October 17, 2000.

Supervisor Gross reported that approximately ten students will receive certificates for completing their courses, and the program already has opened the doors for stable employment for some of the students, and scholarships for additional vocational training for others.

Supervisor Gross moved that the Board direct staff to send certificates of recognition to six individuals who established a partnership with the Hispanic Committee of Virginia, and volunteered their time and resources to help make this program possible:

- Robert Lado, chief executive officer, Lado Enterprises, Incorporated
- Marco Reguerin, director, Centro Tecnico Vocacional de Virginia Department of Transportation
- Larry Fisher, store manager, Home Depot of Seven Corners
- Alvin Pardo, owner, APM Engineering and Associate
- Jorge Aleras
- Mike Elkhawas

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

58. **ANIMAL FRIENDLY LICENSE PLATES** (Tape 5)

Supervisor Gross noted that several years ago the Board endorsed and publicized the creation of Virginia's "Animal Friendly" license plate. Part of the appeal of these plates is that a portion of each sale is returned to the local jurisdiction, to support spay and neuter programs. Thanks in part to the Board's support, the plates have been in production for some time, and it is now time for an update.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to circulate to the Board the status of the "Animal Friendly" license plate program, including how much money has been returned to Fairfax County, and how these funds will be utilized.

Supervisor Frey asked to amend the request to direct staff to review the issue of private/non-profit humane groups using the proceeds to promote spay/neuter programs and the concept of a non-profit pool that could review Requests for Proposals from private/non-profit groups to develop spay/neuter programs, and this was accepted.

Without objection, the request, as amended, was so ordered.

59. **VIRGINIA HISTORICAL MARKERS** (Tape 5)

Supervisor Gross said that the Virginia Department of Historic Resources recently approved several state historical markers, two of which are intended to be placed on County land. One marker commemorates the site of Fort Buffalo, a fortification built by Union troops in 1861, near Seven Corners. The other marker commemorates Mason's Hill, a Confederate outpost, which included an observation tower from which soldiers would reportedly observe activities in Washington, DC. As these two markers are planned to be placed on County property, at Seven Corners Fire Station and at the Mason District Governmental Center, respectively, the Virginia Department of Transportation (VDOT) requires permission from the County before erecting and maintaining the signs.

Supervisor Gross moved that the Board direct the Chair to send a letter to VDOT, granting permission to erect historical markers at the Seven Corners Fire Station and the Mason District Governmental Center, with the understanding that the State will maintain these markers. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

60. **PINE RIDGE PARK** (Tape 5)

Jointly with Supervisor Frey, Supervisor Gross presented the following Board Matter regarding Pine Ridge Park. She said that over the past several years, there have been numerous discussions by the Board on how to put Pine Ridge Park into the jurisdiction of the County's Park Authority. With the Board's approval of the

community-generated amendment to the County's Comprehensive Plan it is clear that the Board intends that Pine Ridge Park be retained as a park and not be developed with any uses inconsistent with those presently found on the property.

Supervisor Gross said that in the past year, three different offers - swap of Pine Ridge Park for the B-1 building pad at the Government Center; purchase of Pine Ridge Park by the County; and swap of County-owned land (six parcels) for Pine Ridge Park - have been made to the School Division in an effort to facilitate a transfer of Pine Ridge Park from its jurisdiction to the County. Each of the others had issues or problems from the perspective of either County or the School Division, and is no longer being pursued.

The issue remains on how to facilitate moving Pine Ridge to the Park Authority's inventory. Several elements must be considered. The School Division also is interested in consolidating many of its administrative activities.

Supervisor Gross moved, jointly with Supervisor Frey, that the Board authorize the County Executive to work collaboratively with the School Division in the planning for a future administrative facility for the School Division. Significant planning efforts are required to determine space requirements and an optimal location in order eventually to have such a facility, after student needs mentioned above are met.

Supervisor Gross further moved that the Board direct the County Executive to pursue a long-term lease for Pine Ridge Park between the Fairfax County Park Authority and the School Division.

Supervisor Frey seconded the motion.

Chairman Hanley noted that there were two offers and a discussion regarding the Pine Ridge Park and she clarified that the B-1 building pad was discussed, but not formally offered.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Connolly asked to amend the motion to request the School Board to turn the park over to the Park Authority in return for assistance in consolidating the Schools' administrative functions and to find a facility that is more functional.

Supervisor Connolly asked to amend the motion to include the following language:

- "The Board of Supervisors hereby urges the School Board to declare Pine Ridge a permanent park site and to transfer ownership of said park to the Park Authority"
- At the beginning of the second bullet add the words ". . . in the interim . . ."

And this was accepted.

Following further discussion, Supervisor Hyland moved to defer this item until later in the meeting. Supervisor Bulova seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#79.)

61. **FRIENDS OF GEORGE MASON REGIONAL LIBRARY - SEMI-ANNUAL USED BOOK SALE** (Tape 5)

Supervisor Gross said that the Friends of George Mason Regional Library will be holding their wildly popular semi-annual used book sale later this month. The sale will be held at the library, located at 7001 Little River Turnpike in Annandale. The hours are:

- Thursday, October 19, 2000 - 5 - 9 p.m.
- Friday, October 20, 2000 - 10 a.m. - 6 p.m.
- Saturday, October 21, 2000 - 10 a.m. - 5 p.m.
- Sunday, October 22, 2000 - 12 noon - 5 p.m.

Traditionally, this is one of the most anticipated used book sales in the region, and she urged everyone to come out to support the library, and the tremendous work performed by the Friends.

62. **ANNANDALE FALL FESTIVAL PARADE** (Tape 5)

Supervisor Gross said that it is once again the time of the year for one of the great Fairfax County traditions--the annual Fall Festival Parade in downtown Annandale. The parade will be held on Saturday, October 28, 2000, kicking off at 10 a.m. on Columbia Pike. The Annandale Chamber of Commerce has announced that Annandale resident Helen Winter will serve as Grand Marshal.

Supervisor Gross invited Board Members and everyone in Fairfax County to come to downtown Annandale on October 28 to enjoy the parade.

63. **REQUEST FOR EXPEDITED AND CONCURRENT PROCESSING FOR THE HERITAGE BUILDING** (Tape 5)

Supervisor Bulova said that recently, her office was contacted by the owners of the Heritage Building, which is an office building located in Annandale at the intersection of Route 236 and Heritage Drive. At this time, the owners have an

approved site plan to build a second office building that would be connected to the Heritage Building by an existing parking garage. Until recently, there was a service station located at the corner of the Heritage/236 intersection, in front of the Heritage Building. The owners of the office building also own the underlying land where the service station was located.

Rather than proceed by-right to build the second office building, the owners would like to transform the service station site into an at-grade plaza that could service as a gateway into downtown Annandale. The floor area ratio from the service station site would be transferred to the proposed building. Removing the service station would eliminate some difficult turning movements at this very busy intersection and instead provide an attractive transition from the Beltway exit into downtown Annandale.

To proceed with this new conceptual plan, a number of actions would be required, including an amendment to the Comprehensive Plan as well as a rezoning. To move forward with this long awaited redevelopment effort, the owners are asking for expedited and concurrent processing of the Plan amendment, rezoning and any other related zoning amendments as well as the amended site plan. Processing the amendment, zoning and site plan simultaneously would ensure that citizen and staff concerns would be addressed in detail with continuity from conception to completion.

Therefore, Supervisor Bulova moved that the Board direct staff to expedite:

- An Out-of-Turn Plan Amendment for parcel [070-1-((01))1A].
- The concurrent review of the necessary zoning changes and modifications to the existing, approved site plan 4567-SP-04-3/Plan Redate 4567-SPR-01-01 along with the Plan amendment.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards nor does it prejudice the consideration of this application in any way. Supervisor Hyland seconded the motion.

Following discussion, Supervisor Gross asked to amend the motion to provide additional information to Mason District regarding this issue, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

Supervisor Bulova announced that Vivian Watts, Executive Director, Court Appointed Special Advocates (commonly known as CASA) is stepping down. She asked unanimous consent that the Board direct staff to invite Ms. Watts to appear before the Board to be recognized for her service. Without objection, it was so ordered.

NV:nv

65. **HOLLIN HILLS CELEBRATES ITS FIFTIETH YEAR** (Tape 6)

Supervisor Hyland referred to his written Board matter regarding the fiftieth anniversary of the Hollin Hills community. Accordingly, he moved that the board direct staff to invite Scott Wilson, Managing Editor of the fiftieth anniversary book, *Hollin Hills, 1949-1999: A Semicentennial History*, and Gretchen Spencer, President of the Civic Association of Hollin Hills, to appear before the Board for recognition of the Hollin Hills community and their accomplishment as they present this fine chronicle to the County. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

66. **PUBLIC HEARINGS TO BE DEFERRED** (Tape 6)

Supervisor Kauffman announced his intent to defer, at the appropriate time later in the meeting, the following public hearings until October 30, 2000, at 3 p.m.:

- Proffered Condition Amendment Application PCA 78-S-046-3
- Special Exception Amendment Application SEA 85-L-016
- Proffered Condition Amendment Application PCA 85-L-060-2
- Special Exception Application SE 00-L-013

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Item CL#81)

67. **VIRGINIA AFFORDABLE HOUSING MANAGEMENT ASSOCIATION (VAHMA) POSTER WINNERS** (Tape 6)

Supervisor Kauffman announced that six children from Murraygate Village Apartments were selected by the VAHMA as winners of a local poster contest in which contestants were asked to develop posters on the theme, "My Future is Bright, My Choice is Right . . . AMA Drug-Free Kid." Accordingly, he asked unanimous consent that the Board direct staff to:

- Invite these contest winners and their parents to appear before the Board at a future meeting for formal recognition.
- Prepare certificates to present to the contest winners.

Without objection, it was so ordered.

68. **LEE DISTRICT TOWN MEETING** (Tape 6)

Supervisor Kauffman announced that there will be a Lee District Town Meeting in the science lecture hall at Hayfield Secondary School on Saturday, October 21, 2000. Doors will open at 9 a.m. for general information displays and from 10 a.m.- 1 p.m. there will be presentations followed by a question-and-answer session.

69. **"LE TOUR DE LEE"** (Tape 6)

Supervisor Kauffman announced that on Sunday, October 22, 2000, will be the first "Le Tour De Lee," a bicycle event for the entire family that includes a main 15-mile race starting at Lee District Park at 9:30 a.m. and a 1.5-mile family ride starting at Rose Hill Elementary School at 10:30 a.m. He noted that interested parties could learn more details from the website www.co.fairfax.va.us/gov/bos/ld/ld.htm or by calling the Lee District Office at 703-971-6262.

70. **VIRGINIA HOMICIDE INVESTIGATOR OF THE YEAR** (Tape 6)

Supervisor McConnell announced that the Virginia Homicide Investigators Association recently selected Detective Richard J. Perez of the Police Department's Homicide Section as Homicide Investigator of the Year. Accordingly, she moved that the Board direct staff to:

- Invite Detective Perez to appear before the Board to be presented with a certificate of recognition for his accomplishment in being named the Virginia Homicide Investigators Association's "Investigator of the Year."
- Take the above action as soon as possible because Detective Perez will be leaving the Police Department at the end of November and will be leaving the area.

Chairman Hanley seconded the motion, which carried by unanimous vote.

71. **MS. MATTIE BROWN TO CELEBRATE HER ONE HUNDRED SEVENTH BIRTHDAY** (Tape 6)

Supervisor McConnell announced that on October 20, 2000, Ms. Mattie Brown, a resident of the Sully District and a good friend of the Springfield District, will celebrate her one hundred seventh birthday. She is believed to be the second oldest person in the County. Accordingly, jointly with Supervisor Frey, Supervisor McConnell moved that the Board:

- Direct staff to invite Ms. Brown to appear before the Board to be recognized and congratulated for her longevity and, perhaps, to

share some of her reflections on the County as seen through her eyes.

- Proclaim the day that she can appear as "*Mattie Brown Day*" in Fairfax County.

Chairman Hanley seconded the motion, which carried by unanimous vote.

72. **CERTIFICATE OF RECOGNITION FOR DIANE BARRETT, FORMER DIRECTOR OF THE "NET" TEEN CENTER** (Tape 6)

Supervisor McConnell stated that two police officers called to her attention the outstanding work of Diane Barrett, the former director of the "Net" Teen Center located at Washington Irving Middle School. She reported that Ms. Barrett, an employee of the Department of Community and Recreation Services, went beyond the normal scope of her job to find innovative ways to allow teens to access the center.

After citing Ms. Barrett's accomplishments and sharing her letter of commendation from the police officers, Supervisor McConnell asked unanimous consent that the Board direct staff to invite Ms. Barrett to appear before the Board at an appropriate date to receive a Certificate of Recognition for her outstanding service to the Net Teen Center, the County Police Department's West Springfield District Neighborhood Policing Unit, and the youth of Fairfax County. Without objection, it was so ordered.

73. **RECOGNITION OF MEMBERS OF THE POLICE MOTORCYCLE SQUAD FOR THEIR SUPERIOR ACHIEVEMENTS IN THE MID-ATLANTIC MOTORCYCLE SAFETY RODEO** (Tape 6)

Supervisor McConnell reported that on September 30, 2000, the Annual Mid-Atlantic Motorcycle Safety Rodeo was held at the Fair Lakes Shopping Center in the Fairfax area of the County. The County's Police Motorcycle Squad won nearly every class of the competition, the purpose of which was to improve a rider's ability and thus improve safety and prevent injury to the rider.

Accordingly, Supervisor McConnell moved that the Board invite members of the Motorcycle Squad to appear before the Board at the next available meeting to be recognized for their superior achievements in the rodeo. Chairman Hanley seconded the motion, which carried by unanimous vote.

74. **RECESS/CLOSED SESSION** (Tape 6)

At 1:45 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting, and in addition:

- James M. and Olga Brocco versus Ricky Savage, et al., CA Number 00-1685-A.

The second to this motion was inaudible.

Chairman Hanley announced that should this motion carry, closed session would convene at 2 p.m.

The question was called on the motion, which carried by unanimous vote.

DMB:dmb

At 3:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

75. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

76. **AUTHORIZATION OF SETTLEMENT OF BOARD OF SUPERVISORS AND JOHN WESLEY WHITE, DIRECTOR OF THE FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES VERSUS GOVERNORS RUN, L.P., AIRSTON GROUP III, INC., INTERACTIVE BUILDERS, INC., PULTE HOMES CORPORATION, JIMMY W. CHARLTON AND DANA J. CHARLTON** (Tape 7)

Supervisor Frey moved that the Board authorize the settlement of *Board of Supervisors and John Wesley White, Director of the Fairfax County Department of Public Works and Environmental Services versus Governors Run, L.P., Airston Group III, Inc., Interactive Builders, Inc., Pulte Homes Corporation, Jimmy W. Charlton and Dana J. Charlton*, At Law Number 190532, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote.

77. **AUTHORIZATION TO SPEND \$600,000 TO ACQUIRE ACRES FOR PARKS** (Tape 7)

Supervisor McConnell moved that the Board authorize spending \$600,000 from the Land Acquisition Fund to allow the Fairfax County Park Authority to acquire approximately 59.5 acres for parks along the Fairfax County Parkway. Supervisor Hyland seconded the motion and it carried by unanimous vote.

78. **TELEPHONE CALLS TO THE CLERK'S OFFICE REGARDING THE 3:30 P.M. PUBLIC HEARING IN PROVIDENCE DISTRICT** (Tape 7)

Supervisor Connolly noted that some people had called the Clerk's office regarding the 3:30 p.m. case in Providence District, and were told that it had been deferred. He asked unanimous consent that the Board request staff to investigate this matter. Without objection it was so ordered.

79. **PINE RIDGE PARK** (Tape 7)

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#60.)

Supervisor Gross referred to the Board Matter discussed earlier in the meeting regarding Pine Ridge Park and she moved that the Board:

- In the second paragraph change the word "offers" to options and that they have been discussed.
- Change the first sentence of the paragraph that begins "Supervisor Gross further moved . . ." to read: "We believe that the Fairfax County School Board should ensure that the Pine Ridge site remains a park. In the interim, we further move, that the County Executive be authorized to pursue a long term lease, etcetera."

Supervisor Frey seconded the motion.

Following discussion, the question was called on the motion and it carried by unanimous vote.

80. **3 P.M. – BOARD DECISION ON REZONING APPLICATION RZ 2000-SU-009 (MSW, INCORPORATED) (SULLY DISTRICT)** (Tape 7)

(O) (NOTE: On September 11, 2000, the public hearing was held and the Board deferred decision on this item until September 25, 2000. On September 25, 2000, the decision on this item was deferred until October 16, 2000.)

Following a query by Supervisor Frey, Lynne Strobel, representative of the applicant, stated for the record that the applicant has agreed to provide a fence

along a portion of the Dixie Hill Road property and agreed to work out an exact design through the site plan process.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-009, from the R-1 and WS Districts to the R-8 and WS Districts, subject to the execution of proffers dated September 11, 2000.
- Waiver of the minimum district size and waiver of the requirement for service drive construction along Route 29 in lieu of escrowing funds equal to the construction cost.
- Waiver of the barrier requirement along the south property line and a modification of the barrier requirement along the western property line.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

81. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 78-S-046-3 (SPRINGFIELD CORPORATE CENTER, LLC), SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-016 (SPRINGFIELD CORPORATE CENTER, LLC), PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-L-060-2 (TOWNEPLACE MANAGEMENT CORPORATION), AND SPECIAL EXCEPTION APPLICATION SE 00-L-013 (TOWNEPLACE MANAGEMENT CORPORATION) (LEE DISTRICT)**
(Tape 7)

Supervisor Kauffman moved to defer the public hearing on the following applications until **October 30, 2000, at 3 p.m.:**

- Proffered Condition Amendment Application PCA 78-S-046-3
- Special Exception Amendment Application SEA 85-L-016
- Proffered Condition Amendment Application PCA 85-L-060-2
- Special Exception Application SE 00-L-013

- Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.
82. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 92-P-001-2 AND PCA 1998-PR-052, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-P-051 (WEST*GROUP PROPERTIES LLC) (PROVIDENCE DISTRICT)**
(Tape 7)

Mr. Thomas D. Fleury reaffirmed the validity of the affidavit for the record.

Mr. Fleury had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Hudgins disclosed the following campaign contribution which she had received:

- In excess of \$200 from John C. Ulfelder

Supervisor McConnell disclosed the following campaign contributions which she had received in excess of \$200 from:

- Mr. Gerald T. Halpin
- Ms. Helen R. Halpin
- Ms. Kathryn A. MacLane
- Mr. Thomas F. Nicholson

Supervisor Frey disclosed the following campaign contributions which he had received in excess of \$200 from:

- Ms. Kathryn A. MacLane
- Mr. Gerald T. Halpin
- Mr. William H. Gordon

Supervisor Hyland disclosed the following campaign contributions which he had received in excess of \$200 from:

- Mr. Gerald T. Halpin
- Mr. Thomas F. Nicholson

Supervisor Kauffman disclosed the following campaign contributions which he had received in excess of \$200 from:

- Mr. Gerald T. Halpin
- Ms. Kathryn A. MacLane
- Mr. Thomas F. Nicholson
- Mr. John C. Ulfelder

Supervisor Gross disclosed the following campaign contributions which she had received in excess of \$200 from:

- Eagle Management Corporation
- Mr. Robert A. Abt
- Ms. Kathryn A. MacLane
- Mr. Thomas F. Nicholson
- Mr. Charles H. Smith III
- Mr. John C. Ulfeder

Supervisor Connolly disclosed the following campaign contributions which he had received in excess of \$200 from:

- Mr. Thomas F. Nicholson
- Mr. Gerald T. Halpin
- Capital One Financial Corporation
- Mr. Charles J. Huntley

Chairman Hanley disclosed the following campaign contributions which she had received in excess of \$200 from:

- Eagle Management Corporation
- Mr. Gerald T. Halpin

- Ms. Margaret F. Howell
- Mr. Malcolm Long
- Ms. Kathryn A. MacLane
- Mr. John C. Ulfelder
- Mr. Bruce K. Wilbur
- Mr. Michael Giguere
- Capital One Management Corporation

Following the public hearing, which included testimony by two speakers, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Connolly moved:

- Approval of the Proffered Condition Amendment Applications PCA 92-P-001-2 and PCA 1998-PR-052, subject to the execution of proffers dated October 6, 2000.
- Approval of Special Exception Amendment Application SEA 98-P-051, subject to the development conditions dated October 16, 2000.
- Modification of the transitional screening requirement and waiver of the barrier requirements along the north property line to that shown on the Special Exception Plat for Special Exception Amendment Application SEA 98-P-051.
- Waiver of the interior parking lot landscaping, subject to the proposed development conditions for Special Exception Amendment Application SEA 98-P-051.
- Waiver of the minimum yard requirements as shown on the Special Exception Amendment plat for Special Exception Amendment Application SEA 98-P-051.
- Waiver of the trail requirements along public storage streets fronting individual building sites in lieu of four-foot wide concrete sidewalks, with the notation that the waiver does not apply to those trails within Park Authority land.

Supervisor Hyland seconded the motion.

Supervisor Mendelsohn disclosed the following campaign contributions which he had received in excess of \$200 from:

- Ms. Joan Bowe
- C.B. Hammerle
- Mr. Jack Seeley
- Ms. Martha U. Seeley

The question was called on the motion and it carried by unanimous vote.

83. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-V-027 (NA AND CH, INCORPORATED, T/A RENT-A-WRECK OF ALEXANDRIA) (MOUNT VERNON DISTRICT)** (Tapes 7-8)

Mr. Frederick R. Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Chuck Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman McConnell and moved **denial** of Special Exception Application SE 00-V-027. Supervisor Kauffman seconded the motion.

Prior to the vote, Acting-Chairman McConnell returned the gavel to Chairman Hanley.

The question was called on the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

84. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 81-C-060 AND PCA 79-C-037-3 AND REZONING APPLICATION RZ 2000-HM-003 (DULLES TECH LC) (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Hudgins moved to defer the public hearing on the following applications until **November 20, 2000, at 3 p.m.:**

- Proffered Condition Amendment Applications PCA 79-C-037-3 and PCA 81-C-060
- Rezoning Application RZ 2000-HM-003

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

85. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING ORDINANCE) REGARDING WRITTEN NOTICE REQUIREMENTS FOR SUBDIVISION PLATS, SITE PLANS, WAIVERS AND VARIANCES OF SUBDIVISION ORDINANCE REQUIREMENTS; PUBLIC IMPROVEMENT REQUIREMENTS FOR MINOR ADJUSTMENT OF PROPERTY LINES; AND NAMES OF COUNTY AGENCIES** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Chapter 112 (Zoning Ordinance), regarding written notice requirements for subdivision plats, site plans, waivers and variances of subdivision ordinance requirements; public improvement requirements for minor adjustment of property lines; and names of County agencies. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

86. **3:30 P.M. – PH ON THE EMERGENCY UNCODIFIED ORDINANCE TO CONTINUE THE 50 CENT TAXICAB FUEL SURCHARGE UNTIL DECEMBER 31, 2000** (Tape 8)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, Supervisor Bulova moved that the Board reaffirm the adoption of the emergency uncodified ordinance to provide for a 50 cent taxicab fuel surcharge as temporarily adopted by the Board on September 25, 2000, and is to extend until December 31, 2000. Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Connolly voting "NAY," Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

87. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S00-IV-MV1 FOR LAND UNITS C AND D OF THE HUNTINGTON TRANSIT STATION AREA (MOUNT VERNON DISTRICT)** (Tape 8)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved approval of Out-of-Turn Plan Amendment S00-IV-MV1. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

88. **4 P.M. – PH ON PROPOSED AREA PLAN REVIEW ITEM APR-97-2MV FOR LAND UNITS E AND F OF THE HUNTINGTON TRANSIT STATION AREA (MOUNT VERNON DISTRICT)** (Tape 8)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, which included testimony by three speakers, Supervisor Hyland moved adoption of Area Plan Review Item APR-97-2MV as recommended by the Planning Commission. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

89. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S99-IV-RH1 FOR THE VAN DORN TRANSIT STATION AREA (LEE DISTRICT)** (Tape 8)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, Supervisor Kauffman moved approval of the Out-of-Turn Plan Amendment S99-IV-RH1 as recommended by the Planning Commission with the following amendment to be inserted as the first bullet point under "Land Unit D" in the *Van Dorn/I-95 Interchange Special Study Proposed Comprehensive Plan Recommendations*:

- "It is important that mixed-use projects that include residential use be phased to ensure development of both the residential and non-residential components occurs. This phasing requires that the residential and non-residential components be developed at the same time or that a substantial portion of non-residential development be in place prior to residential development."

Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

90. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-24 (KINGSTOWNE RESIDENTIAL OWNERS CORPORATION) (LEE DISTRICT)** (Tape 8)

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Warren E. Halle

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

Mr. Lawrence had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Leslie Johnson, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA C-448-24, subject to the execution of proffers dated September 12, 2000.
- Modification of the transitional screening yard requirement and waiver of the barrier requirements.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

91. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-001 AND SPECIAL EXCEPTION APPLICATION SE 00-Y-004 (TRUSTEES OF THE MOUNT OLIVE BAPTIST CHURCH) (SULLY DISTRICT)** (Tape 8)

(O) Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Hudgins disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Stephen K. Fox

Following the public hearing, which included testimony by three speakers, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-001 be amended from the R-1, R-2, and WS Districts to the R-2 and WS Districts subject to the proffers consistent with those in Appendix 1 of the staff report dated September 26, 2000. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out the room.

Supervisor Frey moved approval of Special Exception Application SE 00-Y-004, subject to the development conditions contained in Appendix 2 of the staff report dated October 3, 2000, with the following amendment:

- To allow an expiration date of 60 months from the date of approval if the project has not yet been established or construction commenced and been diligently prosecuted.

Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

Supervisor Frey moved modification of the transitional screening requirement along the northern, eastern, western, and southern property boundaries and waiver of the barrier requirement along all property boundaries, as depicted on the Generalized Development Plan/Special Exception plat. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

DAM:dam

92. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-B-014, REZONING APPLICATION RZ 2000-BR-013, SPECIAL EXCEPTION APPLICATION SE 00-B-015, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-B-018 (FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INCORPORATED) (BRADDOCK DISTRICT)** (Tape 9)

(O) Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Approval of Proffered Condition Amendment Application PCA 95-B-014.
- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-BR-013 from the C-5, R-1, and WS Districts to the C-2, R-1, and WS

Districts, subject to the execution of proffers consistent with those dated September 19, 2000.

- Approval of Special Exception Application SE 00-B-015, subject to the proposed development conditions dated October 13, 2000.
- Approval of Special Exception Amendment Application SEA 95-B-018, subject to the proposed development conditions dated September 20, 2000.
- Modification of the transitional screening along the eastern property line and along the western property line adjacent to the R-1 portion of Special Exception Amendment Application SEA 95-B-018.
- Waiver of the transitional screening and barrier requirements between the C-2 and R-1 zoned portions of the site with Rezoning Application RZ 2000-BR-013 and Special Exception Application SE 00-B-015.
- Waiver of the peripheral parking lot landscaping requirements along the western property line with Rezoning Application RZ 2000-BR-013 and Special Exception Application SE 00-B-015.
- Modification of the parking lot setback requirement along the eastern boundary for the parking lot located in the residential district with Special Exception Amendment Application SEA 95-B-018.

Supervisor Connolly and Supervisor McConnell jointly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

93. **4:30 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS BUILDING NUMBER 3 JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1999-PR-060 until **November 20, 2000, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

94. **4:30 P.M. – PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON FLAT ROCK ROAD (LEE DISTRICT)** (Tape 9)

- (R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, Supervisor Kauffman moved adoption of the Resolution requesting the Virginia Department of Transportation to restrict through truck traffic on Flat Rock Road between Beulah Street and Fleet Drive. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting “AYE,” Supervisor Frey and Supervisor Gross being out of the room.

95. **4:30 P.M. – PH ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 11 (HUMAN RIGHTS ORDINANCE)** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, which included testimony by three speakers, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 11 (Human Rights Ordinance), to bring Chapter 11 into line with Virginia's Fair Housing Act and give Chapter 11 the opportunity to become substantially equivalent with the Federal Fair Housing Act. Supervisor Hyland seconded the motion.

Following discussion, with input from Michael Cash, Executive Director, Human Rights Commission, and Louise DiMatteo, Assistant County Attorney, the question was called on the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, and Chairman Hanley voting “AYE,” Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

96. **4:30 P.M. – PH ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ESTABLISHING GRAHAM RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 34 (PROVIDENCE DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, which included testimony by five speakers and input from Christopher D. Wells, Transportation Planner, Department of Transportation, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to establish the Graham RPPD, District 34 with the following amendment:

- That the parking restrictions be in effect between 10 p.m. and 6 a.m.

The proposed District includes the following street blocks:

- Graham Road (Route 1720) from Graham Court-South Intersection (Route 2335) to Graham Court-North Intersection
- Graham Court from Graham Road-South Intersection to Graham Road-North Intersection
- The north side only of Rosemary Lane (Route 1719) from Graham Road to Jonothan Place (Route 2387)
- Rosemary Lane from Jonothan Place to Wade Place (Route 2388)
- Jonothan Place from Rosemary Lane to the end

Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

97. **5 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-004 (EQUITY HOMES, LP) (SULLY DISTRICT)** (Tape 9)

(O) Mr. Keith Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by one speaker, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-004, be amended from

the R-1 and WS Districts to the R-3 and WS Districts, subject to the execution of proffers dated October 13, 2000. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Gross and Supervisor Hyland being out of the room.

98. **5 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-007 (JCE, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 2000-PR-007 until **October 30, 2000, at 3 p.m.** Supervisor Kauffman and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Gross, and Supervisor Hyland being out of the room.

99. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-P-039-7 (NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY) (PROVIDENCE DISTRICT)** (Tape 9)

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Mendelsohn disclosed the following campaign contribution which he had received:

- In excess of \$200 from the Orr Company

Following the public hearing, which included testimony by one speaker, Catherine Belgin, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved approval of:

- Proffered Condition Amendment Application PCA 80-P-039-7 subject to the execution of proffers dated October 13, 2000.
- The proposed conceptual development plan conditions dated October 16, 2000, as revised:

The proposed trail extension shown on the Final Development Plan Amendment should not be constructed as shown. Equivalent funds will be

reallocated to maintain the Hunters Branch streambed, or contributed to construction of trails/sidewalks in the Providence District.

Supervisor Connolly further moved reaffirmation of the waiver of the barrier requirement between the office commercial uses in Land Bay D and the single family attached multifamily uses in Land Bay C and the modification to Paragraph 5, Section 6-206 to allow dwellings as a secondary use to exceed 50 percent of the gross floor area of all principal uses which were previously approved.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

100. **5:30 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-012 (CENTEX HOMES) (SULLY DISTRICT)** (Tapes 9-10)

(O) Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

Mr. McDermott had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by one speaker, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-012, from the R-1 and WS Districts to the PDH-4 and WS Districts, subject to the execution of proffers dated September 20, 2000.
- Waiver of the barrier requirement along the eastern and southern property lines of the townhouse development.
- Waiver of the requirement for construction of a service drive along Route 29.
- Waiver of construction of an eight-foot wide Type 1 asphalt trail along Route 29 in favor of refurbishing the existing eight-foot wide asphalt trail.
- Waiver of the requirement for 600-foot wide length of private streets.

- Waiver of the requirement to construct a cul-de-sac at the terminus of Olivia Drive.

Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Acting-Chairman McConnell voting “AYE,” Supervisor Hyland and Chairman Hanley being out of the room.

101. **5:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-Y-017 (AXAR MANAGEMENT, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

Mr. Riegle had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 00-Y-017, subject to the development conditions dated October 12, 2000. Supervisor Mendelsohn seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley being out of the room.

102. **5:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-M-028 (LINCOLNIA EDUCATIONAL FOUNDATION, INCORPORATED) (MASON DISTRICT)** (Tape 10)

Ms. Lori Greenlief reaffirmed the validity of the affidavit for the record.

Ms. Greenlief had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 98-M-028, subject to the development conditions dated October 13, 2000.

- Waiver of the transitional screening to the northeast along Lincolnia Road adjacent to the R-3 District.
- Modification of the transitional screening along the southern property boundary adjacent to the R-2 District.
- Waiver of the transitional screening requirement along the eastern property boundary.
- Waiver of the barrier requirement along the northeastern property adjacent to the R-3 district.

Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Hyland being out of the room.

103. **5:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-696-2 (DSV DULLES FOX MILL LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 10)

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by one speaker, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA C-696-2 and the conceptual development plan subject to the proffers dated October 16, 2000, consistent with those contained in Appendix 1 of the staff report, modified as follows:
 - Add a new proffer 4 to Part V (Trails/Sidewalks) to read: "The applicant shall construct an eight-foot wide trail which will connect to parcel 10 to the south during the phase of construction of the stormwater pond, subject to approval by the Department of Public Works and Environmental Services."
 - Add a new proffer to establish that approval is contingent upon payment of funds by the applicant,

according to the Board's Policy and formula for redesignating land in the Route 28 Tax District from commercial and industrial to residential uses, prior to the effective approval date of the rezoning, with the effective approval date established by the Board to be up to 60 days from the date of the Board's decision; and that failure to provide payment according to Board Policy would void any approval action taken by the Board in accordance with *Virginia Code* Section 15.1-1372.7:1C.

- Modification of the transitional screening requirement along the southern boundary to that shown on the Conceptual Development Plan Amendment/Final Development Plan Amendment, and approval of waiving the barrier requirement along the southern boundary.
- Modification of the secondary use requirements, per Section 6-206 of the Zoning Ordinance, to permit an increase in the gross floor area of the residential uses not to exceed 81 percent of the floor area of the principal use.
- Modification of the construction material requirements for sidewalks, pursuant to Section 8-0100 of the Public Facilities Manual.
- Waiver of the 600-foot maximum length requirement for private streets.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

104. **5:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION) RELATING TO PERSONS ENGAGED IN THE BUSINESS OF SELLING ELECTRICITY AND GAS AND ON THE CONSUMPTION OF ELECTRICITY AND GAS SERVICES** (Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 28 and October 5, 2000.

Following the public hearing, with input from Michael A. Long, Senior Assistant County Attorney, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation) relating to persons engaged in the business of selling electricity and gas, and on the consumption of electricity and gas services with the following amendments:

- On handwritten page six, line 22, replace the word “service” with the word “gas.”
- In line 25, after the word “service,” insert “by a gas provider.”

Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting “AYE,” Supervisor Hyland and Supervisor Mendelsohn being out of the room.

105. **BOARD ADJOURNMENT** (Tape 10)

At 8:20 p.m., the Board adjourned.

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